## REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to this patent application are as follows. New claim 8 has been added, and is a combination of claims 1, 2, and 3. The Abstract has been amended to be rewritten as a single paragraph. The Specification has been amended on pages 1 and 2 to be rewritten to delete any reference to the patent claims.

The water separation/retaining device claimed in claim 7 is the protection device 9 described in detail in the Specification. The water separation/retaining device 9 is supposed to ensure that exclusively fuel and not water can enter into the connection line 5, even when there is a large amount of water collected in the collection chamber 4. In this regard, the precise method of functioning can readily be understood from the original disclosure. Moreover, it is unambiguously clear to a person skilled in the art that such a water separation/retaining device must be a filter-like device, which can be configured to be semi-permeable, for example. Therefore, it permits only one fraction (here, fuel) of a mixture of substances (fuel/water mixture) to pass through, while it retains the other fraction (here, water).

Concerning the rejection under 35 U.S.C. 112, second paragraph, on Page 3 of the Office Action, there was an objection to claim 1 regarding the antecedent basis for the terms: "an area of the filter housing," "an upper area of the water collection chamber," and "an area of the fuel delivering line."

In response to this objection, claim 1 was amended to revise "said area" to refer to "said area of the fuel delivery line" so as to overcome the antecedent basis objection.

For all the above reasons, the Abstract, all the claims, and the present Specification, are now in complete compliance with all the requirements of 35 U.S.C. 112. Withdrawal of this ground of rejection is respectfully requested.

The Applicants comment upon the prior art rejections of the claims as follows.

In summary, the present invention is characterized by the following. The present invention as claimed is directed to a fuel filter 2 having a water collection chamber that is connected with an external water collection chamber 4 by way of a line 3 for liquids. In this connection, water is separated both in the fuel filter 2 and in the external water collection chamber 4. Here an upper region of the second, separate

water collection chamber 4 is connected with the fuel transport line 1 by way of a connection line 5, specifically downstream from the fuel filter 2. In this regard, disposing the connection line 5 in the upper region of the water collection chamber 4 guarantees that exclusively fuel, which might have gotten into the water collection chamber 4 with the water drawn off in the fuel filter 2, for example, by way of the line 3 for liquid, is passed to the internal combustion engine. The invention thereby provides a multi-stage water separation system, which allows a particularly high separation rate of water contained in the fuel. This allows placement of the fuel filter 2 in a tightly limited engine compartment, since the water collection chamber 4 is disposed separately.

According to *WO 03/067068* (D1), a fuel filter 3 of an internal combustion engine 5 is known, which has a filter housing 34 within which water separated from the fuel can precipitate in a water collection chamber 32. A line 21 for liquids leads from this water collection chamber into a water collection chamber 15 that lies outside of the filter housing 34. In this regard, providing an external water collection chamber 15 is suggested. In this connection, filter means 12a are provided on the water collection chamber 15, in an upper region, which means are configured to be semi-permeable, in other words permeable for fuel, but so that they retain water. In contrast to the invention, however, no connection

line is provided between the water collection chamber 4 and the fuel line 1 that empties into the fuel line 1 downstream from the fuel filter 3 is provided in this reference. D1 merely shows a return line 55 that passes excess fuel back to the tank 2, downstream from the filter 3, and therefore functions in a completely different manner. The goal of D1 is, very clearly, to pass the fuel precipitated from the water collection chamber 15 back to the filter 3 for renewed filtration, and not, as is the case in the invention, directly to the internal combustion engine for combustion.

Thus, it is firmly believed that there is a significant difference between the present invention as claimed, and the reference D1 cited in the Office Action, which supports the patentability of the invention as claimed in the current patent application. Since the current claim 1 therefore recites very different structure, it is patentable over the prior art reference D1. Also, the dependent claims are also patentable.

A device for automatically removing water from the fuel system of an internal combustion engine, having a fuel filter, is known from DE 36 00 669 (D2). In D2, a water collection chamber of the fuel filter is connected with an air intake line of the internal combustion engine by way of a transport device configured as a Venturi nozzle. In this

structure, a valve device disposed on the bottom of the water collection chamber is opened when necessary. Thus, water can be drawn out of the water collection chamber of the fuel filter and introduced into the intake air, in an atomizing manner, by way of the Venturi nozzle disposed in the air intake line. The water separated in the fuel filter in this manner is therefore passed to the combustion process. However, there is no teaching or suggestion that can be derived from either D1 or D2, in this regard, that an upper region of the water collection chamber can be connected with a fuel transport line of the internal combustion engine by way of a connection line affixed there - specifically downstream from the fuel filter. Thus, even combining D1 with D2 cannot lead to the structure of the present invention, so that claims 3 and 4, in particular, which also depend from claim 1, are also patentable.

Finally, a device for automatic water separation in a vehicle fuel filter is known from WO 01/33069 (D3). Here, a water collection chamber 15 for water separated from the fuel is provided in a lower region of the vehicle fuel filter. This water collection chamber 15 is coupled with a suction device 30, by way of a sensor device 20, whereby the sensor device 20 determines a water level in the water collection chamber 15 and activates the suction device 30 if necessary. The activated suction device 30 passes the water collected in the water collection chamber 15 into a water collection reservoir 25, by way of a drain line 26. This prior art

structure is entirely different from the claimed structure of the present invention even in combination with D1. This is because D1, as explained above, does not teach or suggest the claimed fuel filter in a manner to prevent patentability.

For all the reasons set forth above, none of the prior art references provide an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102, but is patentable under 35 U.S.C. 103.

Withdrawal of these grounds of rejection is respectfully requested. A prompt notification of allowability is respectfully requested.

Respectfully submitted,

Riccardo Carlo GIOLITTI ET AL

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ERF:lgh

Allison C. Collard, Reg. No. 22,532
Edward R. Freedman, Reg.No. 26,048
Attorneys for Applicants

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 31, 2007.

Melissa Konko

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